## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

J.C. WHITNEY & CO., a Delaware	)	
corporation, d/b/a CarParts.com,	)	
	)	Case No. 08-cv-03565
Plaintiff,	)	
	)	Judge Samuel Der-Yeghiayan
v.	)	
	)	Magistrate Judge Nolan
U.S. AUTO PARTS NETWORK, INC., a	)	
Delaware corporation,	)	JURY TRIAL DEMANDED
	)	
Defendant.	)	

## AGREED MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING

NOW COME the parties, by and through their attorneys, and under Fed. R. Civ. P. 6(b) move this Court for an extension of time for Defendant to file a response to Plaintiff's Complaint until August 6, 2008, and in support thereof, state as follows:

- 1. Defendant's counsel has not had sufficient time to investigate this matter and prepare a response to the Complaint.
  - 2. The parties are conducting settlement discussions.
- 3. This Motion is not being made for the purpose of inconvenience, delay or harassment.

WHEREFORE, the parties pray that this Court grant this Motion for Extension of Time to File Responsive Pleading until August 6, 2008, and for such further relief as this Court deems just and appropriate.

Dated: July 18, 2008

J.C. WHITNEY & CO.

By:s/Mark E. Wiemelt
One of its attorneys

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## U.S. AUTO PARTS NETWORK, INC.

By: /s/ Martin B. Carroll
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